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Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: KEITH NEWMAN, PLANNER II *KN*
(480) 503-6812, KEITH.NEWMAN@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: FEBRUARY 5, 2020

SUBJECT:

- A. GP19-13 VICTORY PLAZA: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 7.07 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF GREENFIELD RD. AND QUEEN CREEK RD. FROM RESIDENTIAL >0-1 DU/ACRE TO COMMUNITY COMMERCIAL (CC) LAND USE CLASSIFICATION.**
- B. Z19-25 VICTORY PLAZA: REQUEST TO REZONE APPROX. 7.07 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF GREENFIELD RD. AND QUEEN CREEK RD. FROM SINGLE FAMILY-35 (SF-35) AND SINGLE FAMILY-43 (SF-43) TO COMMUNITY COMMERCIAL (CC) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

STRATEGIC INITIATIVE:	Exceptional Built Environment
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To allow a multi-tenant commercial development.

RECOMMENDED MOTION

- A. Move to recommend to Town Council approval of GP19-13, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-25, as requested, subject to the conditions listed in the staff report.

APPLICANT/OWNER

Company: Pew & Lake, PLC.
Name: Reese Anderson
Address: 1744 S. Val Vista Dr., Ste 217
Mesa, AZ 85204
Phone: 480-461-4670
Email: reese.anderson@pewandlake.com

Company: USA Property Holdings. LLC.
Address: 13200 S. Gilbert Rd.
Gilbert, AZ 85204

BACKGROUND/DISCUSSION

History

Date	Description
<i>March 20, 2007</i>	Town Council approved case A06-96 adopting Ordinance No. 1919 annexing the subject site.
<i>May 22, 2007</i>	Ordinance No. 1964 approved Zoning Case Z06-119 changing the zoning district from Maricopa County Rural-43 (RU-43) to Single Family-35 (SF-35) and Single Family-43 (SF-43) for 140.94 acres located south and west of the southwest corner of Greenfield Road and Queen Creek Road.
<i>December 4, 2019</i>	Planning Commission reviewed GP19-13 and Z19-25 as a study session item.

Overview

The applicant is requesting to change the General Plan land use classification and zoning of an approx. 7.07-acre site that is generally located at the southwest corner of Queen Creek Rd. and Greenfield Rd. The General Plan land use classification is proposed to change from Residential > 0-1 DU/Acre to Community Commercial (CC) with a rezoning request from Single Family-35 (SF-35) and Single Family-43 (SF-43) to Community Commercial (CC) with a Planned Area Development (PAD) overlay to modify certain land development code standards and ultimately allow the construction of a commercial development with 33,400 square feet of building space.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Public Facility/Institutional (PF/I)	Public Facility/Institutional (PF/I)	Town of Gilbert Police Substation & Public Works South Area Service Center
South	Residential>0-1 DU/Acre	Single Family-43 (SF-43)	Vacant land
East	Residential>0-1 DU/Acre	Single Family-43 (SF-43)	Gateway Church of Christ and single family residential
West	Residential>0-1 DU/Acre	Single Family-43 (SF-43)	Single family residential
Site	Residential>0-1 DU/Acre	Single Family-35 (SF-35) and Single Family-43 (SF-43)	Vacant land

General Plan Amendment

The existing General Plan land use classification is Residential > 0-1 DU/Acre. To develop the property as proposed, the applicant is requesting a minor General Plan amendment to Community Commercial (CC), which is consistent with the development plan and commercial uses proposed for the site. The property is located adjacent to existing large lot single-family residential uses and a recently constructed church on the east side of Greenfield Rd., and is across the street from the Town of Gilbert South Area Service Center on the north side of Queen Creek Rd.

The applicant has stated that they believe they conform to the General Plan for the following reasons (applicant notes in *italics*):

2.4 Land Use and Growth Areas

- **Goal 1.0; Policy 1.1:** Maintain a balance of housing types and provide a variety of employment opportunities with easily accessible retail and service uses.
 - *Response - This development will provide a variety of employment opportunities with easily accessible retail and service uses. The area within a 2-mile radius of the Greenfield and Queen Creek intersection specifically, along with the San Tan Character Area generally, is underserved regarding accessible restaurants, neighborhood services, and retail options. The demand for additional retail and service uses is evidenced by the significant comments which Gilbert residents have provided during the 2020 General Plan Update process. Additional residential construction, including at the NEC of Greenfield and Queen Creek Roads, necessitates additional retail and service uses in this area.*
- **Goal 1.0; Policy 1.5:** Designate and protect sites for employment uses in appropriate locations to increase the Town's employment base.

- *Response - The Community Commercial zoning district allows for uses which will provide for a range of employment. Employment opportunities created by the Victory Plaza project could range from providing opportunities for a teenager working a first job as a barista to a seasoned dentist operating a successful dental practice. The developer of Victory Plaza is marketing the project to uses which will withstand internet automation. Positive effects of securing commercial services which withstand internet automation includes lengthier lease terms and employees which set and maintain roots in the Town.*
- **Goal 1.0; Policy 1.8:** Promote revitalization of under-utilized industrial and commercial properties.
 - *Response - The residential properties at the NEC of Queen Creek and Greenfield Roads were recently changed from commercial to a residential designation to capture a larger footprint for the Taylor Morrison subdivision. The proposed minor General Plan amendment will recapture commercial uses at this desirable intersection.*
- **Goal 5.0; Policy 5.3:** Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.
 - *Response - Victory Plaza will locate commercial and retail uses adjacent to residential uses in appropriate intensities to serve local, community and regional markets. Victory Plaza is adjacent to residential uses only on its western boundary. Public facilities to the north, the church directly to the east and the future charter school on the south are appropriate to locate adjacent to a low-impact commercial use. The approximately 5-acre site is relatively small for a commercial development which provides for low intensity particularly when considered in conjunction with the CC zoning district development standards for required setbacks and building height. The requested deviations on this project are minimal and do not increase the intensity of the site in relation to adjacent residential uses.*

Victory Plaza will serve the local Greenfield and Queen Creek market along with Gilbert residents in the San Tan Character Area who are looking for service options south of the Loop 202. Regional markets can also be served with the site located approximately two miles south of the Loop 202 off-ramp. Commercial operations meet the economic goals of the Town by generating additional sales tax to support the Town of Gilbert's current and projected growth.
- **Goal 7.0; Policy 7.1:** Balance traffic circulation needs with the goal of creating pedestrian oriented neighborhoods and convenient employment/retail centers.
 - *Response - Automobile miles-traveled will be reduced by locating commercial services closer to users. The proposed development will provide convenient employment/retail centers as pursued under the General Plan. The location of this commercial development will achieve an efficient, orderly and sustainable community.*

Rezoning

The Victory Plaza project is requesting a rezoning for the subject site from Single Family-35 (SF-35) and Single Family-43 (SF-43) to Community Commercial (CC) with a PAD overlay to accommodate a commercial development with 33,400 square feet of building space. According to the applicant the intent of this development is to provide community-based retail, which supports surrounding residents, employees of the Town of Gilbert South Area Service Center and employees and visitors to the Gilbert Memorial Park and funeral home.

As proposed, the project has two main access points with one off Queen Creek Rd. and a second off Greenfield Rd. Four total buildings are proposed on the site which includes a 21,500 sf retail building along the south property line, which will be split up to include various retail and commercial uses. Additionally, three quick-service restaurants, which will provide limited service options, and a dine-in restaurant will provide a full-service restaurant at the corner of Greenfield Rd. and Queen Creek Rd. where limited restaurant options currently exist for Gilbert residents south of the Loop 202.

PAD Request

The applicant is requesting a set of modified development standards as part of the Planned Area Development (PAD) overlay zoning for the proposed development.

As listed in the table below in **bold** the applicant is requesting deviations to modify building and landscape setbacks along all property lines.

Project Data Table (requested modifications are shown in bold)

Site Development Regulations	Required per LDC CC	Proposed CC PAD
Maximum Size of Use or User (sq. ft.)	50,000	33,400
Maximum Height (ft.)/Stories	35/2	35'
Minimum Building Setbacks (ft.)		
Front	20'	20'
Side (Street)	20'	20'
Side (Residential)	30'	15'
Rear (Residential)	40'	30'
Minimum Perimeter Landscape Area (ft.)		
Front	20'	20'
Side (Street)	20'	20'
Side (Residential)	25'	15'
Rear (Residential)	30'	30'
Landscaping (% of net lot area)	15	31.7%

Minimum Side (Residential) Building and Landscape Setback

According to the applicant, a reduced building and landscape setback of 15' is proposed along the southern boundary, which will be located immediately adjacent to a proposed charter school that is anticipated to be constructed prior to the construction of the Victory Plaza development. The deviations are proposed in order to accommodate LDC required parking, covered parking awnings for employees and fire circulation routes to the rear of the building. This configuration will improve overall site circulation, provide for improved location for deliveries and access for the drive thru lane at the east corner of Building D. It should also be noted that Building D is approximately 60 feet from the south property line, which more than satisfies the intent of the Land Development Code. The owner of the future charter school has provided a letter of support for the 15-foot building and landscape setback.

Minimum Rear (Residential) Building Setback

According to the applicant, a reduced building setback to 30' is proposed along the western property boundary, which is located immediately adjacent to an animal pasture of an existing residence. The request is to provide a 30' rear building setback which will match the 30' landscape setback. The deviation is to accommodate a parking lot drive aisle and covered parking spaces. Under the current development plan primary commercial buildings are shown within 65' of the western property boundary.

Planning Commission Study Session, December 4, 2020:

PLANNING COMMISSION STUDY SESSION, DECEMBER 5, 2018:

During the Study Session, the following comments were brought forth by the Planning Commission Members:

- Commissioners stated that they are generally in support of the proposed rezone and minor General Plan amendment to commercial as the subject area is commercially underserved.
- Commissioners stated that they are not in support of a deviation regarding the 50' x 250' arterial to arterial landscape setback and that the site should be reconfigured to accommodate the LDC required setback.
 - Since the study session the applicant has eliminated the request and will comply with the code required landscape setback at the corner of Queen Creek Rd. and Greenfield Rd.
- Commissioners discussed the proposed 15' landscape and building setback deviations along the southern boundary and expressed some concern regarding whether or not the charter school would be developed, but in general believed that an appropriate visual buffer could still be maintained with a 15' landscape area.

PUBLIC NOTIFICATION AND INPUT

A neighborhood meeting was held on August 6, 2019 at Gilbert Christian School in Gilbert. Approximately 12 residents attended the meeting. Below is a summary of all concerns and questions and discussions brought up at the meeting:

- Will there be changes to the median in Greenfield Rd;
- Parking compliance;
- Total number of tenants proposed in the development;
- Concerns regarding the rural character of the area potentially changing with the request to add commercial;
- Why wasn't the northeast corner of Queen Creek Rd. and Greenfield Rd. not developed as commercial;
- Stated that there is a reason why the property was originally designated for residential use and not commercial. Residents can easily drive one mile to other commercial developments;
- Concerns over the proposed charter school to the south and the additional traffic that will be added by both uses and decrease property values in the area.
- Concerns over charter school parking overflowing onto the proposed commercial development.
- Some residents stated that they prefer the property stay lower density residential;
- Some residents stated they support the proposed commercial as it is at the corner of two arterials which are prepared to handle the additional traffic volumes;

PROPOSITION 207

An agreement to "Waive Claims for Diminution in Value" pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

STAFF RECOMMENDATION

- A. Recommend to the Town Council approval of GP19-13, to change the land use classification of approx. 7.07 acres, generally located at the southwest corner of Queen Creek Rd. and Greenfield Rd. from Residential > 0-1 DU/Acre to Community Commercial (CC) land use classification; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z19-25 rezoning approx. 7.07 acres, generally located at the southwest corner of Queen Creek Rd. and Greenfield Rd. from Single Family-35 (SF-35) and Single Family-43 (SF-43) to Community Commercial (CC) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions.

- a. Construction of off-site improvements to Greenfield Road and Queen Creek Road adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier.
- b. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- c. Developer shall create a Property Owner's Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas, and landscaping within the rights-of-way.
- d. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
- e. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Site Development Regulations	CC PAD
Minimum Building Setbacks (ft.)	
Side (Residential)	15'
Rear (Residential)	30'
Minimum Perimeter Landscape Area (ft.)	
Side (Residential)	15'

- f. The location of trash enclosures at the end of the drive aisles north of PAD D shall be re-located during the Design Review Application process.

Respectfully submitted,



Keith Newman,
Planner II

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Vicinity/Aerial Map
- 3) General Plan Land Use Exhibit
- 4) Zoning Exhibit
- 5) Development Plan
- 6) Minutes from the Planning Commission Study Session on December 4, 2019

February 5, 2020

PLANNING COMMISSION DATE:**Wednesday, February 5, 2020* TIME: 6:00 PM****TOWN COUNCIL DATE:****Tuesday, March 24, 2020* TIME: 6:30 PM*****Call Planning Division to verify date and time: (480) 503-6812**

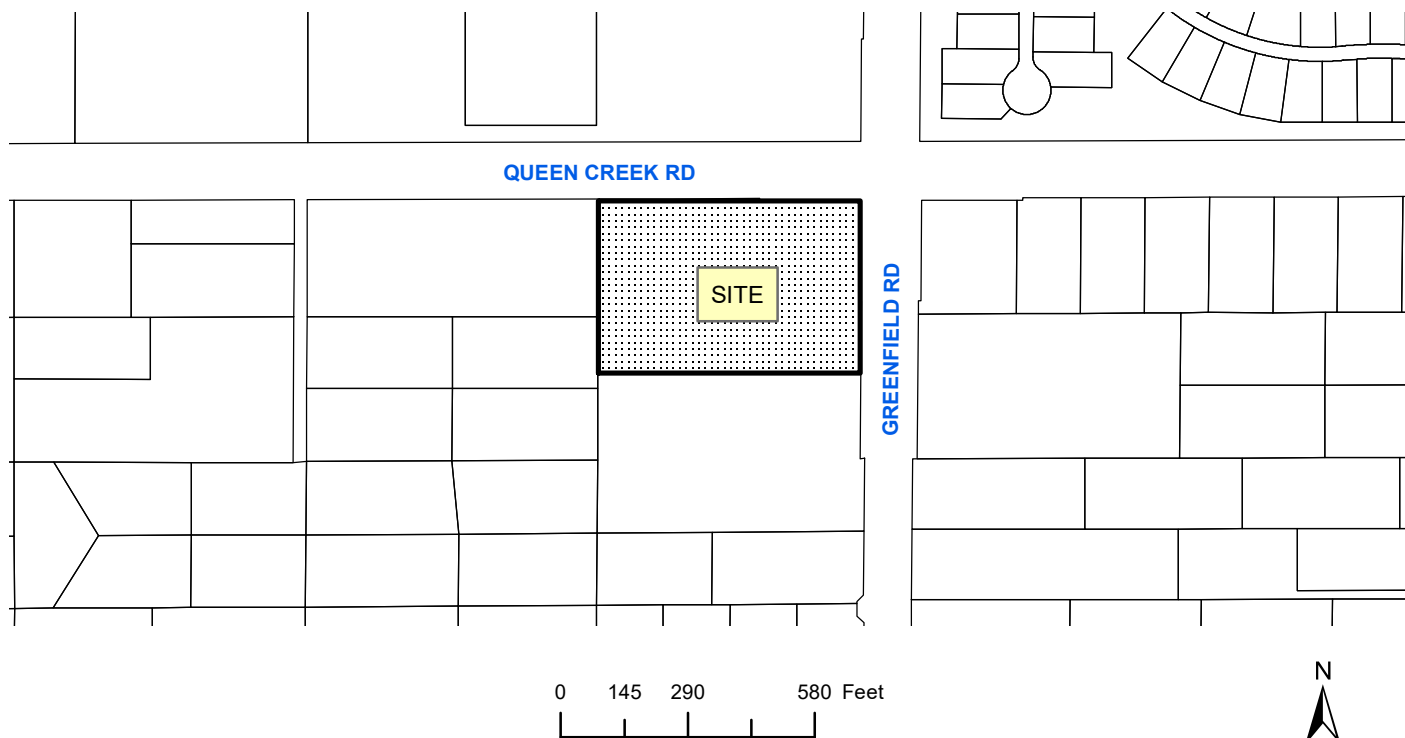
**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

* The application is available to the public for review at the Town of Gilbert Planning Division Monday - Thursday 7AM - 6PM. Staff reports are available prior to the meeting at www.gilbertaz.gov/departments/development-services/planning/planning-commission and www.gilbertdocs.com/gilbertagendaonline.

REQUESTED ACTION:

GP19-13 VICTORY PLAZA: Request for Minor General Plan Amendment to change the land use classification of approx. 7.07 acres generally located at the southwest corner of Greenfield Rd. and Queen Creek Rd. from Residential >0-1 DU/Acre to Community Commercial (CC) land use classification. The effect of this amendment will be to change the plan of development to allow for

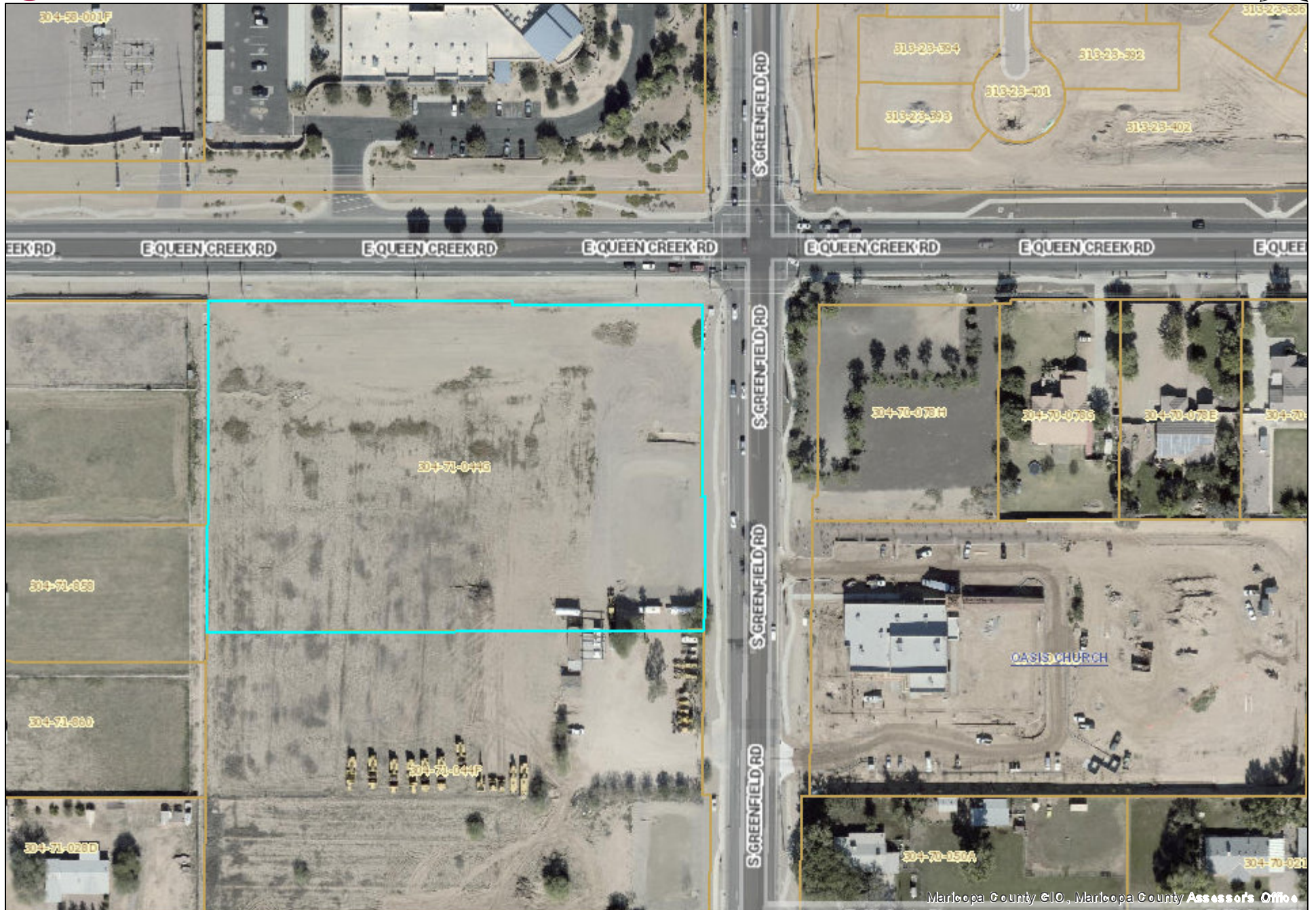
Z19-25 VICTORY PLAZA: Request to rezone approx. 7.07 acres generally located at the southwest corner of Greenfield Rd. and Queen Creek Rd. From Single Family-35 (SF-35) and Single Family-43 (SF-43) to Community Commercial (CC) zoning district with a Planned Area Development (PAD) Overlay. The effect will be to change the plan of development to allow for commercial development, modify perimeter landscape setbacks, and modify the side and rear building setbacks.

SITE LOCATION:

APPLICANT: Pew & Lake
CONTACT: Reese Anderson
ADDRESS: 1744 S. Val Vista Dr.
Mesa, AZ 85204

TELEPHONE: 480-461-4676
E-MAIL: reese.anderson@pewandlake.com

Map



GP19-13, Z19-25 Victory Plaza
Attachment 3 - General Plan Land Use Exhibit
February 5, 2020

OWNER/DEVELOPER:
USA PROPERTY HOLDINGS, LLC
2545 E. CATTLE DR.
GILBERT, AZ 85297
PH: (480) 504-1700
CONTACT: MARK JONES
EMAIL: MARK@VICTORCORPNM.COM

ARCHITECT / CIVIL ENGINEER:
PARADIGM DESIGN
4650 E COTTON CENTER BLVD. SUITE 110
PHOENIX, AZ 85040
PH:(602) 374-7066
CONTACT: BILL HADLOCK, P.E.
EMAIL: BHADLOCK@PARADIGMAE.COM

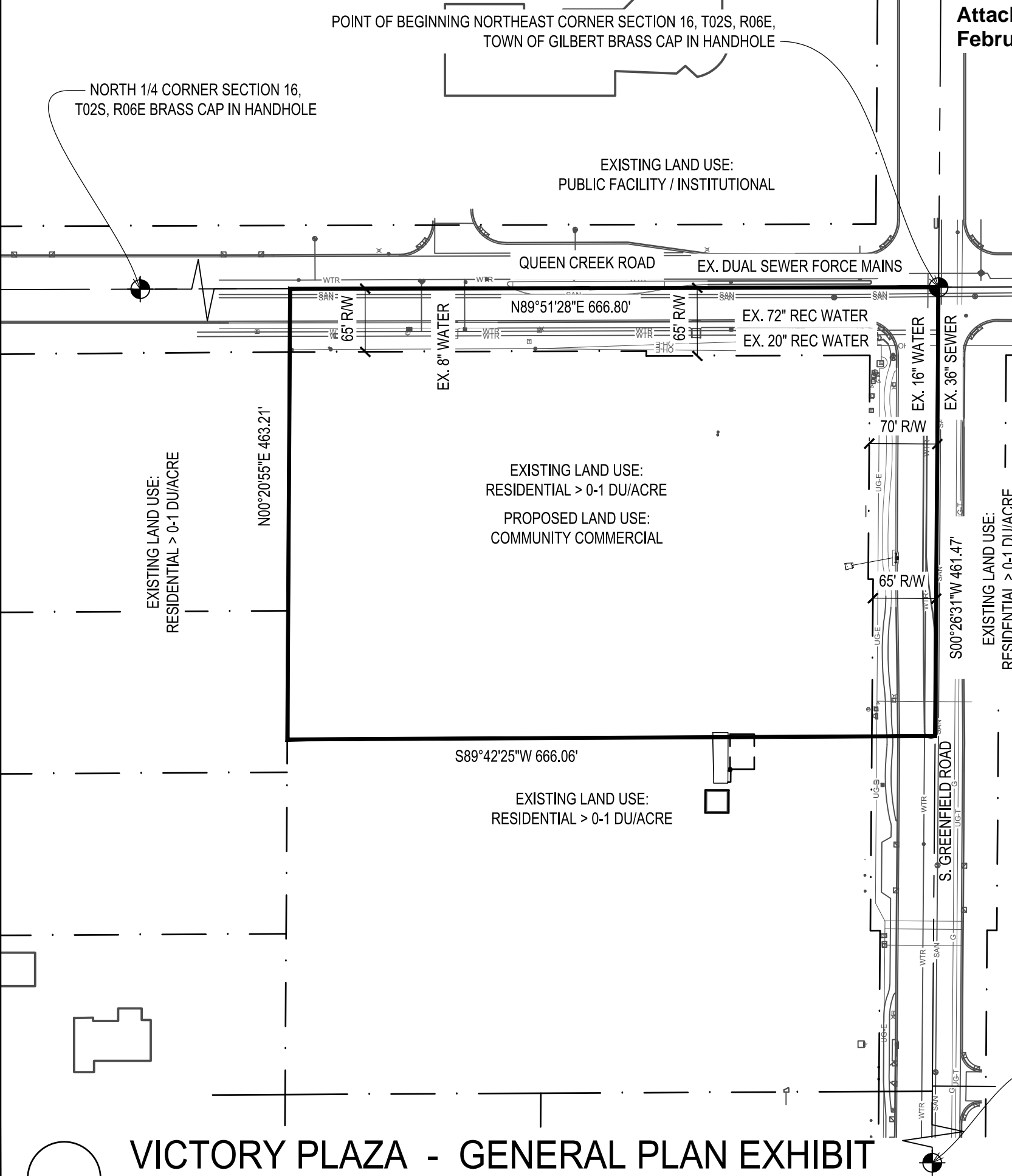
SITE LOCATION MAP
NOT TO SCALE



PARCEL #: 301-71-044G
SWC QUEEN CREEK RD AND GREENFIELD RD
TOWN OF GILBERT - MARICOPA COUNTY, ARIZONA



PARADIGM DESIGN
ARCHITECTS | ENGINEERS
4650 E Cotton Center Blvd, Suite 110
Phoenix, AZ 85040
(602) 374-4066
www.paradigmae.com
Grand Rapids | Phoenix | Traverse City



LEGAL DESCRIPTION:
(PER LANGUAGE PROVIDED BY SUPERIOR SURVEY)

A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A BRASS CAP IN HAND HOLE, BEING THE NORTHEAST CORNER OF SAID SECTION 16, FROM WHICH A FOUND BRASS CAP IN HAND HOLE BEING THE NORTH QUARTER CORNER OF SAID SECTION 16, BEARS SOUTH 89 DEGREES 51 MINUTES 28 SECONDS WEST (BASIS OF BEARINGS), A DISTANCE OF 2667.31 FEET;
THENCE SOUTH 00 DEGREES 26 MINUTES 31 SECONDS WEST 461.47 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER;
THENCE SOUTH 89 DEGREES 42 MINUTES 25 SECONDS WEST 666.06 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;
THENCE NORTH 00 DEGREES 20 MINUTE 55 SECONDS EAST 463.21 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF SAID NORTHEAST QUARTER;
THENCE NORTH 89 DEGREES 51 MINUTES 28 SECONDS EAST 666.80 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

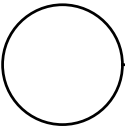
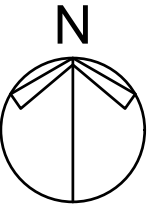
SURVEY PROVIDED BY:

BOUNDARY & TOPOGRAPHIC SURVEY PROVIDED BY SUPERIOR SURVEY ON A DRAWING TITLED ALTA/NSPS LAND TITLE SURVEY, DATED 05-20-2019.

SITE DATA:
VICTORY PLAZA
2343 E. QUEEN CREEK ROAD

EXISTING GP CLASSIFICATION: R>0-1
PROPOSED CLASSIFICATION:
COMMUNITY COMMERCIAL

EXISTING ZONING: SF-35 / SF-43
PROPOSED ZONING: CC
APN: 301-74-044G
GROSS SITE AREA:
7.073 ACRES / 308,100 SFT
NET AREA:
5.433 ACRES / 236,660 SFT



VICTORY PLAZA - GENERAL PLAN EXHIBIT
NOT TO SCALE

TITLE VICTORY PLAZA

SHEET:

SKETCH:

JOB #

1908118PH

DATE

01-20-20

GP19-13, Z19-25 Victory Plaza
Attachment 4 - Zoning Exhibit
February 5, 2020

OWNER/DEVELOPER:
USA PROPERTY HOLDINGS, LLC
2545 E. CATTLE DR.
GILBERT, AZ 85297
PH: (480) 504-1700
CONTACT: MARK JONES
EMAIL: MARK@VICTORCORPNM.COM

ARCHITECT / CIVIL ENGINEER:
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PHOENIX, AZ 85040
PH:(602) 374-7066
CONTACT: BILL HADLOCK, P.E.
EMAIL: BHADLOCK@PARADIGMAE.COM

SITE LOCATION MAP
NOT TO SCALE



SITE LOCATION

PARCEL #: 301-71-044G
SWC QUEEN CREEK RD AND GREENFIELD RD
TOWN OF GILBERT - MARICOPA COUNTY, ARIZONA



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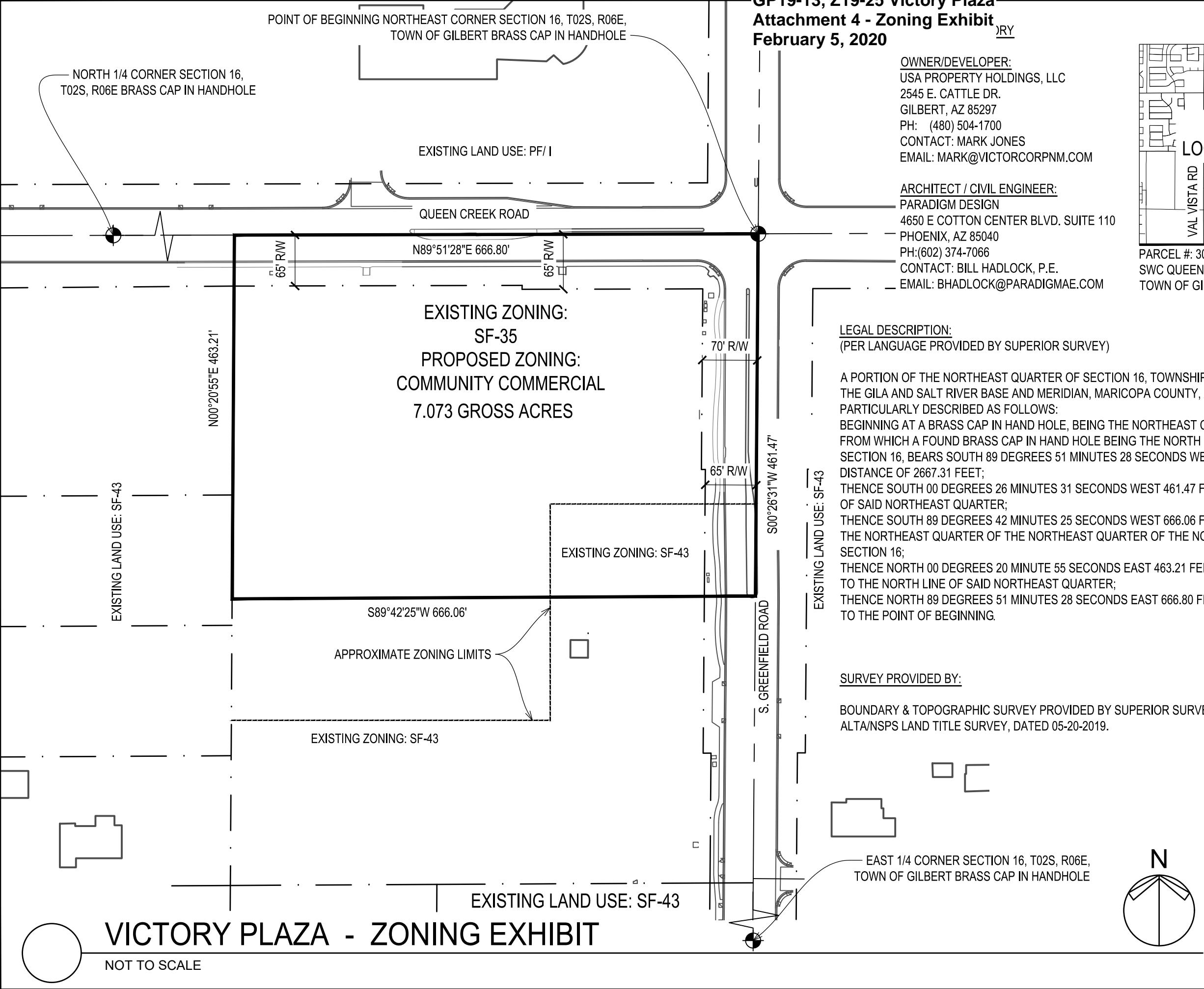
A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A BRASS CAP IN HAND HOLE, BEING THE NORTHEAST CORNER OF SAID SECTION 16, FROM WHICH A FOUND BRASS CAP IN HAND HOLE BEING THE NORTH QUARTER CORNER OF SAID SECTION 16, BEARS SOUTH 89 DEGREES 51 MINUTES 28 SECONDS WEST (BASIS OF BEARINGS), A DISTANCE OF 2667.31 FEET;
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SURVEY PROVIDED BY:
BOUNDARY & TOPOGRAPHIC SURVEY PROVIDED BY SUPERIOR SURVEY ON A DRAWING TITLED ALTA/NSPS LAND TITLE SURVEY, DATED 05-20-2019.

SITE DATA:
VICTORY PLAZA
2343 E. QUEEN CREEK ROAD

EXISTING GP CLASSIFICATION: R>0-1
PROPOSED CLASSIFICATION:
COMMUNITY COMMERCIAL

EXISTING ZONING: SF-35 / SF-43
PROPOSED ZONING: CC
APN: 301-71-044G
GROSS SITE AREA:
7.073 ACRES / 308,100 SFT
NET AREA:
5.433 ACRES / 236,660 SFT



TITLE VICTORY PLAZA

SHEET:

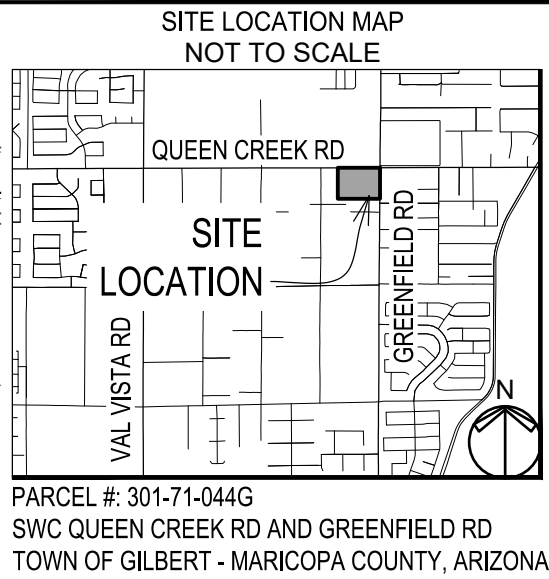
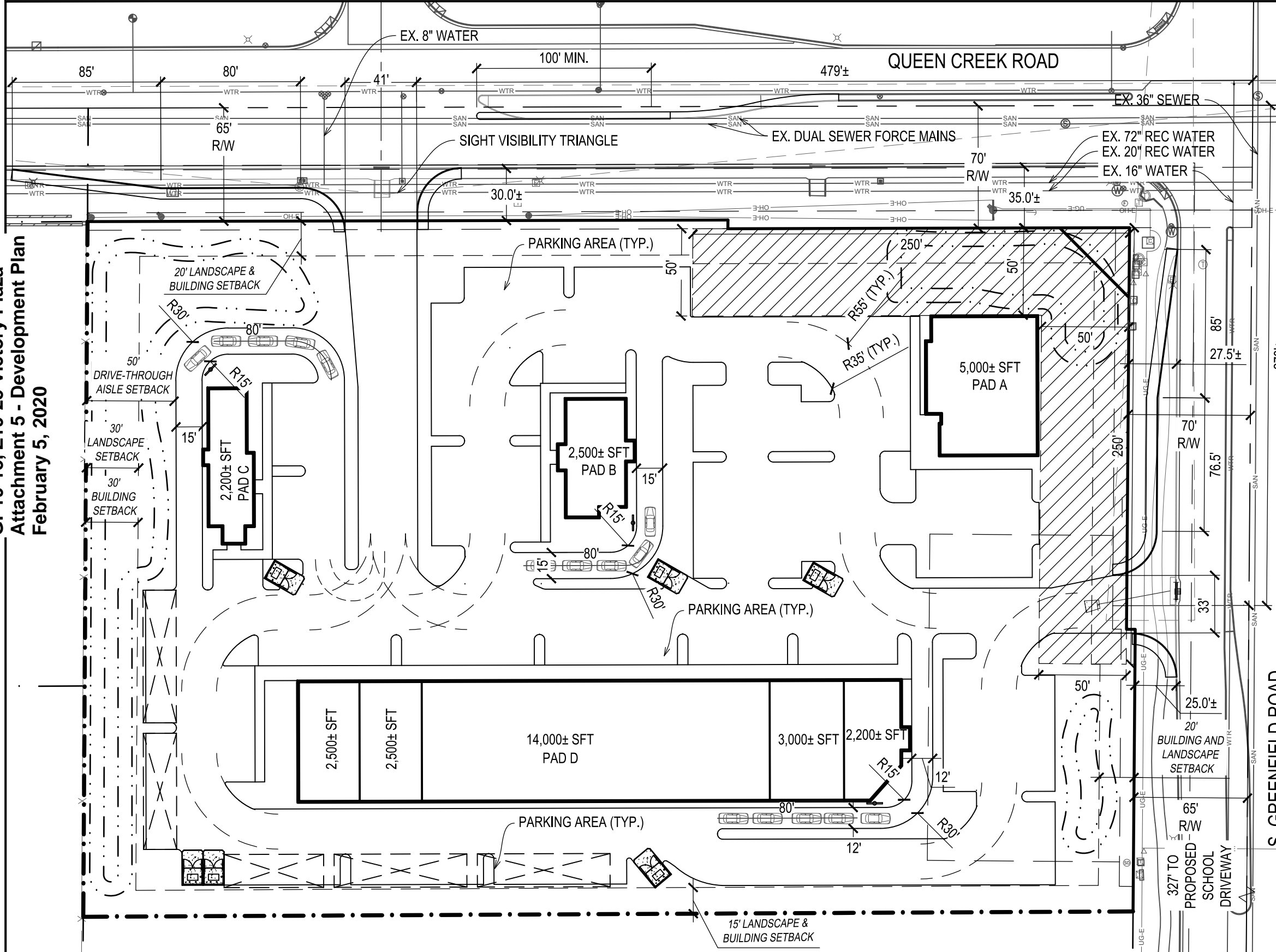
SKETCH:

JOB #

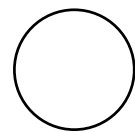
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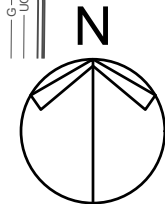
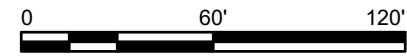


SITE DATA: VICTORY PLAZA 2343 E. QUEEN CREEK ROAD	
EXISTING ZONING: SF-35 / SF-43 PROPOSED ZONING: CC APN: 301-71-044G GROSS SITE AREA: 7.073 ACRES / 308,100 SFT NET AREA: 5.433 ACRES / 236,660 SFT	
PROPOSED CC PAD BUILDING SETBACKS	
REQUIRED FRONT:20' SIDE (STREET): 20' SIDE (RESIDENTIAL): 30' REAR (RESIDENTIAL):40' SIDE (NONRESIDENTIAL):15'	PROPOSED FRONT:20' SIDE (STREET): 20' SIDE (RESIDENTIAL): 15' REAR (RESIDENTIAL):30' SIDE (NONRESIDENTIAL):15'
LANDSCAPE SETBACKS	
REQUIRED FRONT:20' SIDE (STREET): 20' SIDE (RESIDENTIAL): 25' REAR (RESIDENTIAL):30' SIDE (NONRESIDENTIAL):15'	PROPOSED FRONT:20' SIDE (STREET): 20' SIDE (RESIDENTIAL): 15' REAR (RESIDENTIAL):30' SIDE (NONRESIDENTIAL):15'
BUILDING HEIGHT FT/STORIES: 35' MAXIMUM	
PROPOSED USE: COMMERCIAL/RETAIL: 21,500 SFT QSR: 6,900 SFT RESTAURANT: 5,000 SFT	
TOTAL BUILDING AREA: 33,400 SFT SITE COVERAGE: (33,400 SFT / 236,660 SFT) = 14.1%	
LANDSCAPE AREA OPEN SPACE: (75,190 SFT / 236,660 SFT) = 31.7%	



VICTORY PLAZA - DEVELOPMENT PLAN

SCALE: 1" = 60'



TITLE VICTORY PLAZA

SHEET:

SKETCH:

JOB #

1908118PH

DATE

01-20-20



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COMMISSION QUESTIONS/COMMENTS:

Commissioner Alibrandi expressed the same concern as in the prior agenda item regarding residential versus commercial and not having enough commercial property in the future.

Commissioner September advised that he met with the applicant regarding this proposal. He does like some elements and felt it was one of the better multi-family proposals staff has seen over the years. He liked the fact that this multi-family use would support the Val Vista Medical Growth area in terms of providing another option for housing in that area. He liked the idea that Melrose would be developed as part of this project.

Commissioner Simon noted that in the prior item he was against the downzoning, although this one he felt makes sense in this location and with the development of Melrose. He felt this project could be good for the overall area.

Vice Chair Bloomfield also liked the project. The whole area is zoned RC with commercial on the frontage of Val Vista where it should be. This is a nice transition and the project is sandwiched in between the high school and the commercial and medical complex. He felt it was a fine use in the location and felt there would have inevitably been some type of multi-family higher density residential here as part of the RC zoning. That is the nature of what we have seen through the town on RC zoning. He felt this was no surprise. It provides a framework to do it without having to do the cross access and trying to make it fit together. Melrose would have always provided that challenge and this plan kind of solves that issue.

5. GP19-13 VICTORY PLAZA: Request for Minor General Plan Amendment to change the land use classification of approx. 7.07 acres generally located at the southwest corner of Greenfield Rd. and Queen Creek Rd. from Residential >0-1 DU/Acre to Community Commercial (CC).

Z19-25 VICTORY PLAZA: Request to rezone approx. 7.07 acres generally located at the southwest corner of Greenfield Rd. and Queen Creek Rd. from Single Family-35 (SF-35) and Single Family-43 (SF-43) to Community Commercial (CC) zoning district with a Planned Area Development (PAD) overlay.

Planner Keith Newman presented Victory Plaza located at the southwest corner of Greenfield and Queen Creek Roads across from the South Area Service Center. The property is approximately 7 gross acres or 5.5 net acres. The proposal is for a Minor General Plan Amendment to change from Residential >0-1 DU/Acre to Community Commercial (CC) and a rezoning request to go from Single Family-35 and Single Family-43 to Community Commercial with a PAD overlay. The applicant is requesting a few deviations related to landscaping and building setbacks.

The development plan has three pad sites along the Queen Creek Road frontage with a couple fast food pads, a sit-down restaurant pad at the northeast corner and a strip retail building towards the south. The total square footage of all the buildings on the site is over 36,000 SF. The applicant is proposing to develop community-based retail development which they feel will support surrounding residents, employees of the South Area Service Center to the north as well as employees and visitors to the Gilbert Memorial Park and the funeral home. This will be one of the only commercial corners along Greenfield Road south of the 202. The applicant feels this development is highly needed in this location.

According to the Land Development Code, the requirement for the side building setback is 30 feet and the side landscape setback is 25 feet. The applicant is proposing that both of those setbacks be one and the same at 15 feet along the southern boundary. The proposed charter school south of the subject site has not yet submitted their construction permits. The applicant has stated that the charter school and the proposed commercial are compatible with each other and therefore feels the charter school does not need as much of a buffer along that south boundary. Staff is hesitant to support this deviation as construction of the charter school to the south has not yet commenced, although they plan to submit construction plans within the next several weeks. If the charter school moves forward, staff would be more supportive of that deviation request. Staff tends to agree with the applicant that the landscape area of 15 feet is wide enough to be able to plant trees and there is also a building

separation between the south property line and where the buildings are constructed of over 60 feet. If the charter school is not built, staff would be hesitant to support that deviation. The applicant would like to reduce the arterial to arterial landscape setback slightly and eliminate parking spaces. The applicant's justification for this request is that the site is constrained by its size and the drive aisle alignment requirements regarding the entrance on Greenfield Road have further constrained the site. Staff is not in support of this modification as it appears the applicant may be overbuilding the site a little bit and as a result cannot meet the minimum parking requirements. Staff has provided first review comments to the applicant that they may need to redesign the site to be able to fit the 11 parking stalls and potentially reduce the size of the strip building along the south to comply with the parking requirement. The properties at the northeast and northwest corners at this intersection have provided the 50' by 250' arterial to arterial intersection landscape setback. This is a standard that the town has not deviated from in the past. A neighborhood meeting was held on August 6 at a nearby school and 12 residents attended. There were a few concerns raised by those residents about changing the land use to commercial and the character of the site being surrounded by residential on the west, the proposed charter school on the south as well as a church across the street.

Staff is requesting input from the Commission on the overall design of the site and the requested deviations.

COMMISSION QUESTIONS/COMMENTS:

Vice Chair Bloomfield asked if one of the arterials was a major arterial with the other being minor.

Mr. Newman believed they were both major arterials although he was not 100 percent positive. If one was minor, it would be Greenfield.

Vice Chair Bloomfield's preference would be to not grant the variance regarding the 50' by 250' arterial intersection landscape setback. It seems that there is plenty of room to work it around and make it possible to meet that criteria. The applicant may have to work on reconfiguring the site layout a little bit although he believed they could make it happen. He liked the idea of there being a commercial pocket there especially close to the park. He noted that the northeast corner was commercial at one point and was changed to residential in the last couple of years. To Commissioner Alibrandi's point, that may have been a little short-sighted as we moved the park down there. Now we see this project coming in and looking to encroach onto the lower density area. It would have been preferred to take it up on the other side, but it is a much larger site and he is not sure there would have been enough justification for that much commercial. In that regard, he liked the site and felt it was a nice size and fits the area. He was generally in favor of the General Plan Amendment and zoning case, although had concerns regarding the 50' by 250' intersection landscape setback. If a variance was absolutely required, he would suggest that it go on the Greenfield side if that is a minor arterial to allow as much open space and buffer to the very busy street of Queen Creek.

Commissioner Mundt was concerned that they are starting out with a zoning change and then immediately looking for consolations. He agreed that it is a very nice location and given the park having some commercial there, it probably is prudent. From a strict zoning perspective, he thought it was acceptable. He felt the design should attribute a little more effort into making it work prior to asking for consolations.

Commissioner September felt the area was commercially underserved and he was okay with the General Plan Amendment and zoning change. He agreed with Commissioner Mundt and was not a big fan of the deviation request for the intersection landscape setback. These are two very busy roads and they will only get busier over time. That aesthetic that we enjoy at every other intersection is something that he would like to see the applicant adhere to with this project. With respect to the property to the south and its proposed development, it is good to hear that someone is submitting plans, but plans do not always turn into a development. That could change. Regarding the south setback being reduced to 15 feet, he felt there was a way to utilize landscaping to create a visual buffer. The case for the satellite earth station did a nice job with the trees to create that canopy effect. He would like to see something along those lines if that is something the applicant would entertain.

Commissioner Alibrandi appreciated Commissioners Mundt and September's comments about asking for zoning changes and also looking for some sort of accommodation. On the flip side, he appreciated the honesty of the

applicant in what they are looking for rather than having those requests made at the last minute. He liked the comments to find a way to stay within compliance. It is his philosophy that there better be a really good reason for an exception and there better be something in it for the town.

6. GP19-14 MELROSE COMMERCIAL: Request for Minor General Plan Amendment to change the land use classification of approx. 5.03 gross acres generally located at the northeast corner of Val Vista Drive and Melrose Street from Business Park (BP) to General Commercial (GC).

Z19-26 MELROSE COMMERCIAL: Request to rezone approx. 5.03 gross acres generally located at the northeast corner of Val Vista Drive and Melrose Street from Business Park (BP) zoning district with a Planned Area Development (PAD) overlay to General Commercial (GC).

Planner Sydney Bethel presented Melrose Commercial, request for a Minor General Plan Amendment and rezone. The subject site is approximately five gross acres zoned Business Park with a PAD overlay located at the northwest corner of Val Vista Drive and Melrose Street. In this area, the Acero Val Vista was presented earlier in the agenda for a zoning change to multi-family. The subject site is located within the Val Vista Medical Growth Area. The intent in this area is for medical offices supporting a hospital. This Growth Area was created after the hospital was constructed in 2006, which then spurred development along with the 202 Freeway. Back in 2004 before the hospital was constructed, the area was mostly farm land and single-family homes.

The request is for a Minor General Plan Amendment from Business Park (BP) to General Commercial (GC) and a rezoning from Business Park (BP) with a PAD overlay to conventional General Commercial (GC). The site would be pulled out of the existing Planned Area Development and the applicant is not requesting any deviations. The applicant has provided a site plan for reference only as this is not a PAD request. The reason for the rezoning request and the GP is to allow for two drive-through restaurants and a fueling station. Business Park does allow restaurants as long as they do not front arterials, although drive-throughs and gas stations are not permitted. General Commercial is being proposed in order to allow these uses. Elevations were provided for reference only. The applicant's reasons for the change is that they would like to have commercial elements to support the existing medical offices and hospital, to provide a service to the area along with a gas station to serve residents on their way to the 202 Freeway. Letters of support for this project have been provided by the Chamber of Commerce as well as adjacent property owners.

Staff is requesting general feedback from the Commission on the zoning change as well as the change from employment to commercial in the Val Vista Medical Growth Area.

COMMISSION QUESTIONS/COMMENTS:

Commissioner Simon thought this was a great use for this piece of property. The northbound traffic heading to the 202 in the morning needs services.

Vice Chair Bloomfield stated that back when development started in this area and the hospital was built, there was a mad dash to do a whole bunch of General Plan and zoning changes there. The town took it over and decided to form an overall plan for the area. Staff has held to this plan very diligently and it is developing out nicely. As the economy is coming back and there is a lot of construction going on around the hospital, he was a little torn as to whether or not to hold tight to that General Plan, the Growth Area and all of the planning that took place 15 years ago. He felt this was a piece that made the most sense to do that. He was still on the fence for this proposal.

7. DISCUSSION OF REGULAR MEETING AGENDA:

Chair Andersen recommended that a few items on the non-consent agenda be moved to the consent calendar if there were no requests to speak on those items from the public. Those items are 18. GP19-11 and 19. Z19-23 for The Murphy and 20. GP19-12 and 21. Z19-24 for Val Vista Square.

The Commission agreed to move those items to the Consent Calendar if there was no public comment.